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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,834	10/30/2003	Arup Acharya	YOR920030487US1	9276
55459 7590 08/07/2007 GEORGE A. WILLINGHAN, III AUGUST LAW GROUP, LLC P.O. BOX 19080 BALTIMORE, MD 21284-9080			EXAMINER NGUYEN, QUANG N	
			ART UNIT 2141	PAPER NUMBER
			MAIL DATE 08/07/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

mn

**Office Action Summary**

Application No.

10/697,834

Applicant(s)

ACHARYA ET AL.

Examiner

Quang N. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/30/2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-16 and 18-20 is/are rejected.
- 7) ☐ Claim(s) 8 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20031030.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

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***Detailed Action***

1. This Office Action is responsive to the Application SN 10,697,834 filed on 10/30/2007. Claims 1-20 are presented for examination.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 10/30/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Drawings***

3. The drawings were received on 04/01/2004. These drawings are acceptable.

***Claim Objections***

4. Claims 10-19 are objected to because of the following informalities:

On line 1 of claims 10-19: "computer readable medium" is suggested to be "computer readable storage medium".

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-7, 9-16 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kung et al. (US 6,671,262), hereinafter “Kung”.**

7. As to claim 1, **Kung** teaches a method for establishing an overlay network of collaborative conference servers for use in a multi-participant conference, comprising:

establishing a plurality of collaborative conference servers (*Conference Servers CS 900 and 901 as in Fig. 9*);

connecting at least two of the conference servers directly to at least two separate conference participants (*CS 900 directly connected to participants A, B and D while CS 901 directly connected to participants C, E and F as in Fig. 9*);

using each one of the directly connected conference servers to simultaneously provide audio mixing for its directly attached participant (**Kung, Fig. 9 and col. 31, lines 29-63**).

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8. As to claim 2, **Kung** teaches the method of claim 1, further comprising managing at least two of the conference servers using at least two separate service providers (*i.e.*, *each IP central station 200 manages its own conference server CS 224*) (**Kung, col. 6, line 21 – col. 7, line 6**).

9. As to claim 3, **Kung** teaches the method of claim 1, further comprising establishing a controllable voice packet routing path through the overlay network (**Kung, col. 6, lines 1-35**).

10. As to claim 4, **Kung** teaches the method of claim 3, wherein the step of establishing a controllable voice packet routing path further comprises connecting once and only once to every conference server that is directly attached to a participant (*i.e.*, *a routing engine for selecting an appropriate routing algorithm such as least cost routing or connecting to every conference server only once*) (**Kung, col. 10, lines 26-31**).

11. As to claim 5, **Kung** teaches the method of claim 3, wherein the step of establishing a controllable voice packet routing path further comprises directing all of the voice data packets through the overlay network (**Kung, col. 6, lines 21-32**).

12. As to claim 6, **Kung** teaches the method of claim 3, further comprising dynamically modifying the voice routing path during the multi-participant conference

including transferring one or more participants from a first conference server to a second conference server (**Kung, col. 31, lines 13-21**).

13. As to claim 7, **Kung** teaches the method of claim 1, further comprising setting the output from one of the connected conference servers to the connected participant equal to the sum of all inputs to that connected conference server except an input associated with that connected participant (**Kung, col. 30, lines 30-41**).

14. As to claim 9, **Kung** teaches the method of claim 1, wherein the step of connecting at least two of the conference servers directly to at least two separate conference participants further comprises: associating a first conference server with a contact number associated with the multi-participant conference; connecting a first and a second conference participant to the first conference server using the contact number (*i.e., the conference server CS 224 configured to provide for multiparty conference calls using one or more "call-in numbers"*) (**Kung, col. 11, lines 41-67**); using the first conference server to identify a second conference server; transferring the second conference participant to the second conference server (*i.e., where the conference call connects together a relative large number of parties such that the resources of the CS 224 become overloaded, selecting a second or more other CSs to share in the conference call processing of the CS 224*) (**Kung, col. 31, lines 13-21**).

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15. Claims 10-16 and 18 are corresponding computer readable medium claims of method claims 1-7 and 9; therefore, they are rejected under the same rationale.

16. As to claim 19, **Kung** teaches the computer readable medium of claim 10, wherein the step of establishing a plurality of collaborative conference servers further comprises establishing a plurality of collaborative session initiation protocol SIP conference servers (*i.e., the conference server 224 may use any suitable communication protocol such as H.GCP or SIP*) (**Kung, col. 11, lines 51-53**).

17. Claim 20 is a corresponding system claim of method claim 1; therefore, it is rejected under the same rationale.

***Allowable Subject Matter***

18. Claims 8 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

19. Further references of interest are cited on Form PTO-892, which is an attachment to this Office Action.

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20. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Quang N. Nguyen  
Patent Examiner – AU 2141  
August 05<sup>th</sup>, 2007